

1

2

3

4

5

|                           |           |
|---------------------------|-----------|
| FILED                     | RECEIVED  |
| ENTERED                   | SERVED ON |
| COUNSEL/PARTIES OF RECORD |           |
| JUN - 4 2018              |           |
| CLERK US DISTRICT COURT   |           |
| DISTRICT OF NEVADA        |           |
| BY: _____                 | DEPUTY    |

6

7

8

9

10

11

12

13

14

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\*\*\*

MOHAMMAD ASWAQ,

Case No. 3:18-cv-00257-MMD-VPC

Plaintiff,

ORDER

v.

COUNTY OF WASHOE,

Defendant.

I. DISCUSSION

Plaintiff, who is an inmate in the custody of the Washoe County Detention Facility<sup>1</sup>, has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 and has filed an application to proceed *in forma pauperis*. (ECF No. 1, 1-1).

Plaintiff's application to proceed *in forma pauperis* is incomplete. Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff has not submitted a properly executed financial certificate or an inmate account statement. (See ECF No. 1). As such, the *in forma pauperis* application is denied without prejudice. The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to cure the

<sup>1</sup> The docket sheet lists Plaintiff's address on Record Street due to the address listed in his complaint. However, according to the Washoe County Sheriff's Office inmate database, Plaintiff is currently housed at the detention facility.

1 deficiencies of his application to proceed *in forma pauperis*, or in the alternative, pay the  
2 full filing fee for this action. If Plaintiff chooses to file a new application to proceed *in*  
3 *forma pauperis* he must file a fully complete application to proceed *in forma pauperis*.

4 **II. CONCLUSION**

5 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed  
6 *in forma pauperis* (ECF No. 1) is DENIED without prejudice to file a new application.

7 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the  
8 approved form application to proceed *in forma pauperis* by a prisoner, as well as the  
9 document entitled information and instructions for filing an *in forma pauperis* application.

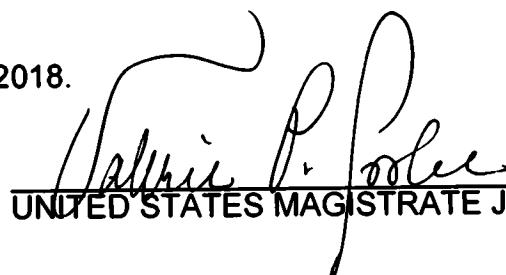
10 IT IS FURTHER ORDERED that within thirty (30) days from the date of this order,  
11 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on  
12 the correct form with complete financial attachments in compliance with 28 U.S.C. §  
13 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing  
14 fee and the \$50 administrative fee).

15 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,  
16 dismissal of this action may result.

17 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint  
18 (ECF No. 1-1), but shall not file it at this time.

19 IT IS FURTHER ORDERED that the Clerk of the Court send a one-time courtesy  
20 copy of this order to Plaintiff at the Washoe County Detention Facility at 911 Parr Blvd.,  
21 Reno, NV 89512. If Plaintiff needs to update his address to the detention center, he  
22 should file a notice of his change of address with the Court.

23  
24 DATED THIS 4<sup>th</sup> day of June 2018.  
25  
26

27  
28   
UNITED STATES MAGISTRATE JUDGE